

Exhibit 61:  
Mary Doe  
Deposition Transcript (redacted)



## 1 APPEARANCES:

2 AMERICAN CIVIL LIBERTIES UNION FUND OF MICHIGAN  
 3 2966 Woodward Avenue  
 4 Detroit, Michigan 48201  
 5 By SYEDA DAVIDSON, J.D.  
 6 and  
 7 AMERICAN CIVIL LIBERTIES UNION FUND OF MICHIGAN  
 8 1514 Wealthy SE, Suite 260  
 9 Grand Rapids, Michigan 49506  
 10 By  
 11 DAYJA TILLMAN, J.D.

12 On behalf of Plaintiff.

13 MICHIGAN DEPARTMENT of ATTORNEY GENERAL  
 14 State Operations Division  
 15 P.O. Box 30754  
 16 Lansing, Michigan 48909  
 17 By  
 18 SCOTT DAMICH, J.D. and  
 19 ERIC M. JAMISON, J.D.

20 On behalf of Defendants.

1 Monday, March 27, 2023

2 10:00 a.m.

3 R E C O R D

4 MARY DOE,

5 having been first duly sworn, testified as follows:

6 MR. DAMICH: Good morning, my name is  
 7 Assistant Attorney General Scott Damich and also with me  
 8 today is Assistant Attorney General Eric Jamison and we  
 9 represent Governor Whitmer and Colonel Gasper. And we  
 10 noticed your deposition in this case, Does versus  
 11 Whitmer, Case Number 2:22-cv-10209 in the District Court  
 12 in the Eastern District of Michigan, and it's pending in  
 13 front of the Honorable Goldsmith.

14 There is a protective order in place in this  
 15 case and it's found at ECF number 88, page ID 2389-2395,  
 16 which will protect your identity. And, Mindy, will you  
 17 confirm that you have read the protective order and  
 18 signed the acknowledgment associated with it?

19 COURT REPORTER: Yes, I have.

20 MR. DAMICH: And, Counsel, will you affirm  
 21 that the person tendered today is, in fact, Mary Doe?

22 MS. DAVIDSON: I can confirm that the person  
 23 tendered is Mary Doe. And I would just like to add in  
 24 addition to the statement you've already made about the  
 25 protective order the plaintiffs must be given the

3

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1 opportunity to review and redact the transcript as  
 2 necessary before it's filed to ensure that there's no  
 3 identifying information.

4 MR. DAMICH: Understood, and we certainly  
 5 understand the parameters of the court rules.

## 6 EXAMINATION

7 BY MR. DAMICH:

8 Q. So, Ms. Doe, I'm going to do my best to make sure  
 9 that there's no personal identifying information that's  
 10 going to come from any of my questioning. And to the  
 11 extent that it does happen, as counsel indicated, we  
 12 will make sure it's redacted. So I apologize ahead of  
 13 time, if a question leads to something personal  
 14 identifying we'll make sure it's not in the public  
 15 sphere.

16 I'm going to go ahead and describe the rules  
 17 of a deposition. You've been deposed before, correct?

18 A. Correct.

19 Q. Just real quick, of course you know verbal  
 20 responses. We have a court reporter here today that is  
 21 recording and going to record what you're saying. So if  
 22 I ask you a question, if you could respond with actual  
 23 verbal responses. If it's a yes or no question please  
 24 respond yes or no. Head nods tend to not get recorded  
 25 so please provide verbal responses when the questions

1 are asked. If you could wait until I finish asking the  
 2 question before you start answering it, when talking  
 3 over each other it makes it very hard for Mindy to write  
 4 down what's being said. And I'll do the same on my end  
 5 to the best of my ability not to talk over you.

6 Of course you're represented by counsel here  
 7 today who will probably have objections to some of my  
 8 questioning. When that happens I ask that you let  
 9 counsel state their objections and then more often than  
 10 not you'll still have to provide an answer. If you  
 11 don't understand a question please say so and I'll do my  
 12 best to rephrase it. I prefer that you not guess at the  
 13 answer. I don't want you just to, like I said, guess at  
 14 what I'm asking you. If you don't understand what I'm  
 15 asking you please ask that I rephrase. I will take no  
 16 offense to that and I will be happy to do so and  
 17 rephrase the question. And so if you answer the  
 18 question I'm going to assume that you understood the  
 19 question; is that fair?

20 **A. That is fair.**

21 **Q.** Excellent, okay. Are you taking any medication  
 22 or any substances that affects your ability to answer  
 23 the questions truthfully today?

24 **A. No.**

25 **Q.** Okay. Is there anything else that might

1 interfere with your ability to testify truthfully today?

2 **A. No.**

3 **Q.** Okay. Where are you currently located?

4 **A. In Michigan.**

5 **Q.** Are you in metro Detroit area?

6 **A. In the metro Detroit area.**

7 **Q.** Are you in a home right now or your personal  
 8 residence?

9 **A. I do live in a home, personal residence.**

10 **Q.** And is that where you're located today?

11 **A. Yes.**

12 **Q.** Do you own your home?

13 **A. I do not.**

14 **Q.** You do not. So do you rent your home, correct?

15 **A. Well, yes and no. So we moved in with my parents**  
 16 **to help finances and they are elderly, so we do pay half**  
 17 **of the mortgage.**

18 **Q.** Okay.

19 **A. So I guess, 'cause it's not really rent, we**  
 20 **contribute half to everything.**

21 **Q.** So you live in Michigan, correct?

22 **A. Correct.**

23 **Q.** And you still live in the metro Detroit area?

24 **A. Correct.**

25 **Q.** I'm going to be talking today about a CSC

1 conviction of yours back in I believe 2003. Do you  
 2 expect questions around that; do you understand what I'm  
 3 talking about with that?

4 **A. Yes.**

5 **Q.** Okay. And since your release from prison in 2004  
 6 from your CSC conviction where have you lived?

7 **A. I've lived all around Detroit metro area.**

8 **Q.** So starting from when you were first released did  
 9 you -- where did you go, did you go to a specific house?

10 **A. I did, I went home to my parents.**

11 **Q.** Okay. And was that your choice or was it part of  
 12 a court order?

13 **A. Both.**

14 **Q.** Could you please elaborate on that?

15 **A. So when my conviction happened in Ohio there was**  
 16 **nothing for me in Ohio. And when I was released my**  
 17 **options were my parents. And my parents decided, you**  
 18 **know, this is our daughter, we support her for**  
 19 **everything, she'll come and live with us. And then it**  
 20 **was also, I want to say, I'm not positive, but in my**  
 21 **release it did say I was to live in Michigan with my**  
 22 **parents. I'm not positive on that.**

23 **Q.** Were you confused at all by that order when it  
 24 was issued?

25 **A. A little because I knew I was going home to**

1 **Michigan and going home to my parents, but I couldn't**  
 2 **understand why if it was in there it was specific that I**  
 3 **had to live with them.**

4 **Q.** Did you seek any advice from counsel to fully  
 5 understand the order?

6 **A. I don't remember.**

7 **Q.** Do you remember if you sought advice from anyone?  
 8 **A. You know what, I really don't remember, you know,**  
 9 **it's 20 years ago.**

10 **Q.** Sure, understandable. So that was in 2004 you  
 11 went to your parents' house. Did you move anywhere else  
 12 from your parents' house after that?

13 **A. I did.**

14 **Q.** Okay.

15 **A. I have gotten married and me and my husband, we**  
 16 **lived in two other locations.**

17 **Q.** So you left from your parents' house to another  
 18 location, correct?

19 **A. Correct.**

20 **Q.** And was that location in the Detroit metro area?

21 **A. Yes.**

22 **Q.** And was it -- and so to leave from your parents'  
 23 house to go to this new location did you have to seek  
 24 approval from the court in Ohio?

25 **A. No, I was already off probation, everything that**

1 **was done, from my understanding, once probation ended I**  
 2 **was able to seek out wherever I wanted to reside.**

3 Q. And did you confer with anybody before you made  
 4 that move to make sure that it was okay?

5 A. No.

6 Q. So then you went from your parents' house to  
 7 another location with your husband. How long of a gap  
 8 between your parents' house and the next location?

9 A. Seven years.

10 Q. Now, when you went to that second location since  
 11 you've been back to Michigan did you rent?

12 A. We rented.

13 Q. Did you eventually own?

14 A. No.

15 Q. And then you mentioned a second location,  
 16 correct?

17 A. Correct.

18 Q. So how long of a gap between the first location  
 19 with your husband and the second location, how long of a  
 20 gap of time was that?

21 A. Three years.

22 Q. And was that third location also in the Detroit  
 23 metro area?

24 A. Yes.

25 Q. Did you rent that location or did you purchase?

1 **couldn't live within, I want to say, 2000 feet of a**  
 2 **school. So finding a location in a neighborhood not**  
 3 **near a school, not near a park, not near, you know, a**  
 4 **place of worship, was very, very difficult.**

5 Q. Did you have to fill out an application? You  
 6 mentioned that you rented; did you have to fill out a  
 7 rental application at all?

8 A. Yes, we did.

9 Q. And do you recall if the rental application asked  
 10 about your CSC conviction?

11 A. It did not.

12 Q. It did not, okay. And then when you went to the  
 13 I'll say the overall third location in Michigan, first  
 14 there was the parents, then the first location with your  
 15 new husband, and then now the third location, did you  
 16 have any struggle making that move as well?

17 A. At that time, yes, because it was still those  
 18 restrictions. We wanted to stay in the city that we  
 19 were at but due to where some of the rental properties  
 20 were we couldn't live there because they were within  
 21 those school districts.

22 Q. Were those the only restrictions that made it  
 23 hard for you to move?

24 A. At that time it was just a lot with all the  
 25 restrictions of, you know, not being near a park, not

1 A. We rented.

2 Q. And from that third location did you move  
 3 anywhere else?

4 A. Yes, to where we are at now.

5 Q. And just to confirm, you're currently located,  
 6 your current residence, is in the Detroit metro area,  
 7 correct?

8 A. Correct.

9 Q. And how long of a gap between your third location  
 10 and your current location was there?

11 A. Six years.

12 Q. And then how long have you been at your current  
 13 location?

14 A. Three and a half years.

15 Q. So roughly 2021 you moved to your current  
 16 location?

17 A. 2019, right before the pandemic.

18 Q. They didn't hire me for my math skills. Going  
 19 back to your first move from your parents to the second  
 20 location, did you struggle finding a place to live when  
 21 you met your new husband?

22 A. We did.

23 Q. Could you explain to me what struggles you  
 24 incurred?

25 A. Being on the public registry at that time I

1 **being near, you know, a place of worship, schools. It**  
 2 **was a huge difficulty and also being on the public**  
 3 **registry, you know, was extremely hard because if there**  
 4 **was on the rental application, you know, have you ever**  
 5 **been convicted of a felony or anything, then, yes, I**  
 6 **would answer that truthfully.**

7 Q. Now, did you apply for any places to live that  
 8 had that information on its application?

9 A. There was one that we looked at, I want to  
 10 recall, that did have that and we decided not to apply  
 11 to it.

12 Q. But you still found a place to live despite that,  
 13 correct?

14 A. Eventually, yes.

15 Q. Okay. So aside from it being around the schools  
 16 and places of worship, there were no other instances  
 17 that made it difficult for you to gain housing?

18 A. Well, besides funds, that might have been -- I  
 19 want to say that might have been it, you know, it's hard  
 20 to recall every instance that happened.

21 Q. Okay.

22 A. You know, I knew I had to report, you know,  
 23 within three days, you know, wherever I moved to.

24 Q. Okay. When you moved from your third location to  
 25 your current location do you remember what year it was

1 that you moved?

2 **A. 2019.**

3 **Q. Okay. And did you suffer any hardship in finding**  
4 **a place to move, that would have been the third**  
5 **time -- fourth time?**

6 **A. No.**

7 **Q. No. Is that because the school restrictions and**  
8 **the worship restrictions were no longer part of the law?**

9 **A. That helped and also not being on the public**  
10 **registry helped 'cause I didn't have to worry about**  
11 **someone come knocking on my door, which had happened to**  
12 **us in the past.**

13 **Q. Okay, but just focusing on your attempts to**  
14 **achieve a place to live and rent, did being on the**  
15 **registry prevent you at all from being able to rent at**  
16 **your current location?**

17 **A. No.**

18 **Q. So it's fair to say you didn't have trouble**  
19 **finding suitable housing because of your CSC history to**  
20 **get to your current location; is that correct?**

21 **A. From -- I'm sorry, the abbreviation is for?**

22 **Q. Criminal sexual conduct.**

23 **A. Well, that and the registry, I did not have an**  
24 **issue finding where we live now.**

25 **Q. Okay. You mentioned you're currently married,**

1 receive any advice regarding your civil divorce while  
2 you were incarcerated?

3 **A. Yes.**

4 **Q. Okay. And why did you seek out advice from an**  
5 **attorney during that divorce?**

6 **MS. DAVIDSON: I'm going to object to the**  
7 **extent that any answer she gives could be privileged.**

8 **MR. DAMICH: Okay.**

9 **BY MR. DAMICH:**

10 **Q. Did you seek advice because you weren't**  
11 **knowledgeable about current divorce laws?**

12 **A. It was supposed to be a very easy divorce and my**  
13 **ex-husband had made it extremely difficult. And it was**  
14 **my parents that had found my divorce attorney for me.**

15 **Q. I'm sorry it was difficult. During that**  
16 **difficult time were there actions that he was taking**  
17 **that you didn't understand why legally they were**  
18 **happening?**

19 **A. He would send me information and my mom would**  
20 **also send me information to clarify any questions that I**  
21 **had.**

22 **Q. Okay.**

23 **A. I knew he was working on things in the background**  
24 **so there wasn't much for me to do while I was**  
25 **incarcerated. My biggest thing was to make sure that I**

1 correct?

2 **A. Correct.**

3 **Q. And how long have you been married?**

4 **A. We just celebrated 13 years.**

5 **Q. Congratulations. Were you previously married?**

6 **A. I was.**

7 **Q. So there was a divorce?**

8 **A. Yes.**

9 **Q. And when did that divorce occur?**

10 **A. 2004 was our civil divorce. We had a judi- -- a**  
11 **Jewish divorce September of 2003.**

12 **Q. Okay. Focusing on the civil divorce, were you**  
13 **incarcerated at the time that happened?**

14 **A. When we got divorced I was already out.**

15 **Q. Now, from my understanding a divorce proceeding**  
16 **doesn't happen just overnight. Did the divorce**  
17 **proceeding start while you were incarcerated?**

18 **A. Yes.**

19 **Q. And did you receive the advice of counsel during**  
20 **that process while you were incarcerated?**

21 **A. From which attorney?**

22 **Q. How many attorneys did you have at that point?**

23 **A. I had my divorce attorney and my criminal**  
24 **attorney.**

25 **Q. Okay. So from your divorce attorney did you**

1 **did everything that I needed to do to get out, come**  
2 **home, and get divorced.**

3 **Q. Okay. So is it fair to say that you sought his**  
4 **legal advice because you did not fully understand the**  
5 **divorce laws at that time?**

6 **A. That's correct.**

7 **Q. Now, you also mentioned your criminal attorney;**  
8 **was he or she part of the civil divorce process as well?**

9 **A. No.**

10 **Q. And did either your civil divorce attorney or**  
11 **criminal attorney visit you while you were incarcerated?**

12 **A. No.**

13 **Q. No. Did you have conversations with either of**  
14 **them while you were incarcerated?**

15 **A. Yes.**

16 **Q. And to the best of your knowledge were those**  
17 **conversations private?**

18 **A. Well, they were either on the phone or through**  
19 **mail.**

20 **Q. And when you were on the phone were you by**  
21 **yourself or were there other people around you?**

22 **A. To the best of my rec- -- to the best that I can**  
23 **recall there were other inmates around me when I was**  
24 **talking to my attorneys. It wasn't like I was taken to**  
25 **a private room and like, oh, here's a phone call from**

1 **your attorney.**

2 Q. Sure. And so during those conversations did any  
3 of the activities related to the criminal sexual conduct  
4 come up at all?

5 MS. DAVIDSON: Objection, privileged. I'm  
6 going to direct her to not answer that.

7 MR. DAMICH: Okay.

8 BY MR. DAMICH:

9 Q. Do you have any children?

10 A. **I do.**

11 Q. How many children do you have?

12 A. **Three.**

13 Q. And at the time you were incarcerated did you  
14 have three children?

15 A. **No, I had one.**

16 Q. And that was with -- was that with your  
17 ex-husband?

18 A. **Yes.**

19 Q. And so you had two children with your new  
20 husband?

21 A. **They are my stepchildren.**

22 Q. Stepchildren.

23 A. **But they are my children.**

24 Q. Understood. Now, focusing on your child with  
25 your ex-husband, was it your daughter?

1 A. **Yes.**

2 Q. Okay. And upon your release what was the custody  
3 situation?

4 A. **I had supervised visits.**

5 Q. And where did she live?

6 A. **In Ohio.**

7 Q. And how many years did you go through supervised  
8 visits?

9 A. **I want to say it was just the first maybe year I**  
10 **was released.**

11 Q. And then what changed?

12 A. **We went back to court and I wound up getting**  
13 **every other weekend. I was not considered harmful in**  
14 **any way to our child.**

15 Q. And so when you say every other weekend, would  
16 your daughter travel to Michigan?

17 A. **Yes.**

18 Q. So the distance between yourself and your  
19 daughter, despite there being different states, was not  
20 that far; is that an accurate statement?

21 A. **That's accurate.**

22 Q. Okay. And did custody change at all after that?

23 A. **Eventually it changed when she started to come to**  
24 **school up in Michigan that I had her Wednesdays and**  
25 **every other weekend, I had her four weeks in the summer.**

1 **And then the very last change was I wound up getting**  
2 **custody of her and she saw her father once a month and**  
3 **four weeks in the summer.**

4 Q. So you had mentioned that you see her every  
5 Wednesday and then every other weekend; was she enrolled  
6 in school at that point in Michigan?

7 A. **Yes.**

8 Q. Okay. And so was she living in Michigan at that  
9 time?

10 A. **No, she was still living in Ohio and traveling**  
11 **back and forth to school every day.**

12 Q. And how old was she around that time?

13 A. **Twelve.**

14 Q. And then how old was she when you got custody of  
15 her and your ex-husband would see her on the weekends,  
16 was it, is that correct?

17 A. **Once a month.**

18 Q. Once a month.

19 A. **And then four weeks in the summer. She was 15.**

20 Q. Okay. And is that high school age?

21 A. **Yes.**

22 Q. So she attended high school in Michigan?

23 A. **Yes.**

24 Q. Did she graduate high school?

25 A. **Yes.**

1 Q. Congratulations.

2 A. **Thank you.**

3 Q. Did she go on to further education --

4 A. **Yes.**

5 Q. -- from high school?

6 A. **Yes.**

7 Q. And did she go to -- where did she go?

8 A. **She went to one of the universities in metro**  
9 **Detroit area.**

10 Q. Okay. And did she obtain a bachelor's degree?

11 A. **She did.**

12 Q. And did she go on for a master's degree at all?

13 A. **She's actually enrolled right now for her**  
14 **master's.**

15 Q. Congratulations.

16 A. **Thank you.**

17 Q. So is it safe to say that your daughter didn't  
18 suffer academically because of your CSC history?

19 A. **It's hard to say because it's not just my CSC,**  
20 **it's also when I was on the public registry. So I mean**  
21 **she did have backlash with me being on the public**  
22 **registry.**

23 Q. Did she apply to any schools of higher education  
24 and was denied because you were on the public registry?

25 A. **In middle school she applied to a school and was**



1 denied because of my CSC and public registry.  
 2 Q. In middle school?  
 3 A. Yes.  
 4 Q. Okay. Did she suffer any of the same denial when  
 5 she went on to high school?  
 6 A. When she was enrolled in high school she was  
 7 enrolled originally under my ex-husband, and when I took  
 8 over there were then issues with me being the custodial  
 9 parent.  
 10 Q. And what type of issues were those?  
 11 A. Parent/teacher conferences, school work, getting  
 12 answers from teachers. She was singled out a lot, I  
 13 feel, because of not only my CSC and public registry,  
 14 because her stepfather is not Jewish so I want to say  
 15 there were a lot of factors that played in, but a lot of  
 16 it had to do also with my criminal background and public  
 17 registry.  
 18 Q. Did she graduate high school within four years?  
 19 A. Yes.  
 20 Q. And did she go immediately to college after  
 21 graduation?  
 22 A. Yes.  
 23 Q. And then after graduation from undergrad did she  
 24 go directly to her graduate studies?  
 25 A. No.

1 Q. Did she gain employment after high school?  
 2 A. She gained employment in high school too so....  
 3 Q. Okay. Do you have any grandchildren?  
 4 A. I do.  
 5 Q. How many do you have?  
 6 A. Five.  
 7 Q. Five, congratulations.  
 8 A. Thank you.  
 9 Q. And are they all to one of your three children or  
 10 are they spread out?  
 11 A. Spread out.  
 12 Q. Okay, what --  
 13 A. So our oldest son has four ranging from age 17 to  
 14 two months, and then our oldest daughter has one who  
 15 just turned 13.  
 16 Q. And now your daughter that you had with your  
 17 ex-husband, does she have any children?  
 18 A. No.  
 19 Q. And then you said the oldest son is 17?  
 20 A. The oldest grandchild is 17.  
 21 Q. All right, oldest grandchild is 17. Are you  
 22 involved in your grandchildren's lives?  
 23 A. I am.  
 24 Q. And to what extent are you involved in their  
 25 lives?

1 A. The 13 year old, I pick him up once a week from  
 2 school, we spend the afternoons together. I help him  
 3 with his homework, I go to his events at school. Our  
 4 oldest grandson, we go to all of his football games. We  
 5 used to go to our oldest granddaughter's cheerleading  
 6 events. So the other two, because they are younger  
 7 there isn't much that they are really involved in just  
 8 yet.  
 9 Q. Do you do any babysitting or anything like that?  
 10 A. With my 13 year old I have him, like I said,  
 11 every -- I have him once a week and we spend time.  
 12 Q. And you said ranging from two months old; is that  
 13 correct?  
 14 A. The two month old, yes, they are out of state.  
 15 Q. Do you visit them often?  
 16 A. We have yet to see her yet so....  
 17 Q. So now your oldest son lives out of state; is  
 18 that accurate?  
 19 A. Yes.  
 20 Q. And so he has four children?  
 21 A. Yes.  
 22 Q. How often do you go see your out-of-state son?  
 23 A. We have yet to go out of state to see him.  
 24 Q. So you haven't visited your oldest stepson since  
 25 you've been married?

1 A. No, no, he moved -- within the past year he moved  
 2 out of state.  
 3 Q. Okay.  
 4 A. But when he was in state, you know, we'd see him,  
 5 you know -- my husband saw him every day because they  
 6 sometimes worked together.  
 7 Q. Now do they still work together at times?  
 8 A. No.  
 9 Q. No. Is that just because of the distance?  
 10 A. Yes.  
 11 Q. Have they ever talked about perhaps maybe joining  
 12 back up and working together in the future?  
 13 A. No.  
 14 Q. Have you ever had any interest in moving back to  
 15 Ohio?  
 16 A. No.  
 17 Q. And why is that?  
 18 A. There's nothing there for me. Everything is  
 19 either here in Michigan or down south in Alabama or  
 20 [REDACTED]  
 21 Q. So you wouldn't move to Ohio to be closer to your  
 22 grandchildren and to help out the oldest son?  
 23 A. Well, my grandchildren live in the Detroit metro  
 24 area, my older ones. And my son lives out of state with  
 25 his new wife and the baby, so the other three that he



1 has we do see.

2 Q. Are there any restrictions on you moving to the  
3 state of Ohio?

4 A. No.

5 Q. Would you say that having your CSC conviction has  
6 made it difficult to be involved in your grandchildren's  
7 lives recently?

8 A. With me not being on the public registry and with  
9 the CSC it has been actually -- I want to say better  
10 because I'm able to be involved in their sporting  
11 events, their after school activities, you know, when it  
12 comes to their education, you know. Not being on that  
13 public registry, you know, it's helped, I'm able to go  
14 and enjoy and we're able to be a family.

15 Q. Okay.

16 A. There are --

17 Q. Okay, I'm sorry.

18 A. Sorry. Where I didn't get that as much with my  
19 biological daughter.

20 Q. Okay. So because of the fact that you're able to  
21 attend schooling events and all of that stuff under the  
22 new law as opposed to the prior law, that aside, would  
23 you say having the CSC conviction has made it difficult  
24 to be in your grandchildren's lives?

25 A. It hasn't come up.

1 Q. Okay.

2 A. My grandchildren do not know. Their parents do  
3 but the kids do not.

4 Q. In spite of the fact that you have your CSC  
5 convictions you're still able to go and attend these  
6 events that you speak of, correct?

7 A. Correct.

8 Q. And enjoy time with your grandchildren whenever  
9 you would like?

10 A. Correct.

11 Q. Since your release from prison have you attended  
12 any schools or received any certifications?

13 A. I did attend [REDACTED] and got certified  
14 as a medical insurance biller and coder.

15 Q. And what year was that?

16 A. 2010 through 2011, or it was 2011 to 2012.

17 Q. Do you recall whether you had to report to law  
18 enforcement that you were attending that institute?

19 A. I did.

20 Q. And how often?

21 A. When I did my verifications until I completed my  
22 study, once that was done I went back up and let them  
23 know I was no longer attending.

24 Q. And did having a CSC conviction prevent you from  
25 attending any classes and obtaining your certification?

1 A. No.

2 Q. Did you attend in person?

3 A. Yes.

4 Q. Did you graduate at the top of your class?

5 A. Yes.

6 Q. Would you say that having a CSC conviction has  
7 made it more difficult for you to obtain a certificate  
8 in insurance billing?

9 A. Yes and no.

10 Q. Okay, could you elaborate, please?

11 A. Sure. It didn't obtain (sic) me so much to get  
12 the certification, but part of this program was to be  
13 able to help me also get employment, and that part of  
14 that course, because of my conviction and being on the  
15 registry, wound up not being able to help secure me  
16 employment even though I graduated top of my class, 4.0,  
17 and was even an ambassador for the school.

18 Q. And you said you graduated in 2011, correct?

19 A. Correct.

20 Q. Have you received any other certifications since  
21 you were released from prison?

22 A. No.

23 Q. Okay. Nothing through your work like a HIPAA  
24 certification or anything like that?

25 A. No.

1 Q. Okay. Since your release from prison have you  
2 been steadily employed?

3 A. Yes and no. There have been times that I've  
4 got -- I was unemployed, I actually had a job and they  
5 found out that CSC and on the registry, I was let go  
6 from that job so I wound up being unemployed for a  
7 period of time.

8 Q. Starting from the date you were released in 2004  
9 did you gain employment?

10 A. Yes.

11 Q. And was that in the greater metro Detroit area?

12 A. Yes.

13 Q. Do you remember the date you were hired?

14 A. Shortly after May 20th, 2004. My husband, who  
15 was not my husband at the time, told me to go talk to  
16 the owners and try to get my job back.

17 Q. Was that successful?

18 A. It was, I worked there for about six months.

19 Q. And what did you do there?

20 A. Cashier.

21 Q. And was the employer a service provider, were  
22 they a retailer?

23 A. Retail of food.

24 Q. And what did you do for them again, I'm sorry?

25 A. I was a cashier.

1 Q. Cashier. And that started May 20th, 2004, you  
 2 said it lasted six months. After that what was your  
 3 next employment date?  
 4 A. **It was January of 2005.**  
 5 Q. And what did you do in January of 2005?  
 6 A. **I was an afternoon dispatcher. I started out, I**  
 7 **should say, as an afternoon dispatcher for a heating and**  
 8 **cooling company.**  
 9 Q. How long did you stay at that job?  
 10 A. **Five years, six years.**  
 11 Q. And did you apply for that position?  
 12 A. **No, actually it was someone that I wound up**  
 13 **meeting, his brother owned -- his brother-in-law owned**  
 14 **this heating and cooling place and I went in to**  
 15 **interview and was offered the position.**  
 16 Q. Awesome. So between the first and second job  
 17 that we just talked about did you apply anywhere else?  
 18 A. **Yeah, there were lots of places I applied.**  
 19 Q. Okay. Can you give me a rough estimation of how  
 20 many different places?  
 21 A. **At least, you know, two, three dozen places.**  
 22 Q. So you were unemployed, it seems like, from  
 23 November to January and you said you applied to two or  
 24 three dozen places?  
 25 A. **Uh-huh. Oh, sorry, correct.**

1 Q. And do you remember if those applications asked  
 2 if you were on the Michigan's public registry?  
 3 A. **I don't remember if all of them did. I know a**  
 4 **couple of the places I applied to it asked if I had ever**  
 5 **been convicted of a felony. I don't know at that time**  
 6 **if they asked about the public registry, but I do know**  
 7 **that because of my conviction to some of the places I**  
 8 **applied to I was told they wouldn't hire me because of**  
 9 **my felony.**  
 10 Q. So as of today you don't remember any of those  
 11 two or three dozen applications having a specific  
 12 question of whether or not you were on Michigan's public  
 13 registry?  
 14 A. **No, I don't.**  
 15 Q. And so your second job starting in January 2005,  
 16 you said you were there for how many years?  
 17 A. **About five years.**  
 18 Q. And then where did you go after that?  
 19 A. **I went to another heating and cooling company.**  
 20 Q. Do you remember around about when that was?  
 21 A. **2000- -- mid 2010.**  
 22 Q. Did you apply for that position?  
 23 A. **I did.**  
 24 Q. And do you remember if that application had a  
 25 question regarding your status as a registrant on

1 Michigan's sex offender registry?  
 2 A. **That one did not.**  
 3 Q. It did not. Did it have a question regarding if  
 4 you were previously convicted of any felonies?  
 5 A. **It did not.**  
 6 Q. And so between those two jobs, the one you  
 7 started in January 2005 and then the one you started in  
 8 mid 2010, did you apply for any other positions?  
 9 A. **No.**  
 10 Q. Did you receive a pay raise?  
 11 A. **I did.**  
 12 Q. Was it significant?  
 13 A. **It was.**  
 14 Q. How about benefits?  
 15 A. **Yes, those too.**  
 16 Q. Did you have benefits in your previous position?  
 17 A. **Towards the end of my employment I did.**  
 18 Q. Okay, but then for your new position the benefits  
 19 got much better?  
 20 A. **Yes.**  
 21 Q. Okay. And so how long did you stay at that  
 22 position?  
 23 A. **A year.**  
 24 Q. Okay. So we'll say mid 2011?  
 25 A. **Yes.**

1 Q. And then where did you go?  
 2 A. **That's when I started school, I was let go and I**  
 3 **started school.**  
 4 Q. Why were you let go?  
 5 A. **I was told there was an issue with me and the**  
 6 **office manager. Come to find out it had to do with**  
 7 **people knowing about my conviction and me being on the**  
 8 **registry.**  
 9 Q. Okay. And how did you come to know that that was  
 10 the reason for your firing or being let go?  
 11 A. **I still kept very much in contact with a lot of**  
 12 **the sales reps and service technicians. You know, of**  
 13 **course, it's secondhand knowledge, I never got the**  
 14 **direct, you know, if this was really true from the**  
 15 **owner.**  
 16 Q. Sure. So did the sales reps and service techs,  
 17 were they the ones that let you go?  
 18 A. **No.**  
 19 Q. Okay. Now, you said there was an issue with the  
 20 office manager; would you mind explaining what that was  
 21 about?  
 22 A. **You know, I work hard, I work fast, I type very**  
 23 **fast, and I was just very efficient and I'm not sure**  
 24 **exactly what the office manager and me were even**  
 25 **disagreeing about. I didn't think there were any**

1 **disagreements. I thought I did my job to the best of my**  
 2 **abilities, so I didn't know for sure exactly why, you**  
 3 **know, she decided to say, you know, we're going to let**  
 4 **you go.**

5 Q. Did you seek legal redress against that company  
 6 for letting you go?

7 A. No.

8 Q. Did you look into any options of doing so?

9 A. No.

10 Q. Do you have any document or anything in writing  
 11 saying that the reason you were let go is because they  
 12 noticed you were on the Michigan sex offender  
 13 registration?

14 A. No.

15 Q. Okay. So after your third job after you were let  
 16 go you went to school, correct?

17 A. Correct.

18 Q. Okay. So then after school -- I think you said  
 19 you graduated in 2011, right?

20 A. Yeah, it was 2011, 2012 area.

21 Q. Okay. So then did you gain employment after  
 22 that?

23 A. I did.

24 Q. Okay. Do you remember when?

25 A. It had to be about 2012.

1 Q. Did you apply for the position?

2 A. I did.

3 Q. Do you remember if that application had a  
 4 specific question regarding if you're a registrant on  
 5 the Michigan sex offender registration?

6 A. It did not.

7 Q. Do you remember if the application asked about  
 8 prior felony convictions?

9 A. It did not.

10 Q. Did not, okay. This new position, was it similar  
 11 to your previous positions in was it a service provider,  
 12 retailer?

13 A. It was a doctor's office so I was actually doing  
 14 medical insurance billing and coding.

15 Q. Your compensation, was it higher or lower than  
 16 your previous position?

17 A. It was about the same.

18 Q. About the same. Benefits?

19 A. No, because I worked -- I was not full time.

20 Q. Was that your choice to not be full time or was  
 21 that part of the employment?

22 A. Part of the employment.

23 Q. How long did you stay at that position for?

24 A. Seven and a half months.

25 Q. And during those seven and a half months did you

1 try to find a second job because you were not a  
 2 full-time employee?

3 A. No.

4 Q. So then after that position where did you go?

5 A. I went back to one of the heating and cooling  
 6 places.

7 Q. Which one was it?

8 A. The second one.

9 Q. And did you experience a pay increase?

10 A. Yes.

11 Q. Significant?

12 A. Significant.

13 Q. And the same with benefits?

14 A. Yes.

15 Q. Okay. And what were your responsibilities in  
 16 that job?

17 A. I was the installer, dispatcher, commercial  
 18 installations, rebates, warranty, new construction.

19 Q. So did you deal a lot with warranties, written  
 20 warranties, and that kind of stuff?

21 A. It was more of submitting their equipment for  
 22 their warranties and then verifying if the equipment was  
 23 still under warranty if they used our company.

24 Q. I see. Were there ever any instances where you  
 25 weren't so sure if something was under warranty or not?

1 A. Always.

2 Q. Always. And what would you do then if you didn't  
 3 understand if something was under warranty or not?

4 A. There were times that I knew also a lot of the  
 5 wholesalers and I could reach out to some of them to  
 6 find out for sure what under the equipment was under  
 7 warranty.

8 Q. And so that started -- and that position, I'm  
 9 sorry, that started in 2013?

10 A. Correct.

11 Q. And how long did you stay there?

12 A. A year.

13 Q. And why did you leave?

14 A. I was let go again.

15 Q. Do you remember why you were let go?

16 A. There was a customer that had an installation  
 17 scheduled that one of the other ladies had scheduled and  
 18 didn't inform the customer so I became the fall guy,  
 19 yeah.

20 Q. Sorry about that. So it didn't have anything to  
 21 do with your status as being a registrant on the  
 22 Michigan sex offender registration?

23 A. No, the owner knew.

24 Q. The owner knew?

25 A. Yeah.

1 Q. Okay. And he was fine with you still being an  
2 employee?

3 A. Yes.

4 Q. And you said that from -- where did you go after  
5 that?

6 A. **At that point I was unemployed for a while and  
7 then I wound up at a temp agency.**

8 Q. Okay. And so do you remember around about how  
9 long you were unemployed?

10 A. **I know I started around the temp agency around  
11 2015 to 2016.**

12 Q. Okay. So you were unemployed for maybe roughly a  
13 few months?

14 A. About.

15 Q. And when you sought the services of a temp agency  
16 did they ask whether or not you were a registrant on  
17 Michigan sex offender registry?

18 A. They did not.

19 Q. Did they ask about prior convictions, criminal  
20 convictions?

21 A. **There was a box on there for it and I know that  
22 they did a background check, but because it was already  
23 more than seven years out my background check didn't  
24 come up with my felony. And at that time I was also off  
25 of the public registry.**

1 Q. And so the temp agency, do you remember the  
2 different places where you were placed while you were at  
3 the temp agency?

4 A. **I was only placed at one place that wound up  
5 hiring me in.**

6 Q. And so when were you placed at that employer?

7 A. **I started with them January of 2017.**

8 Q. And are you still employed with that employer?

9 A. **No, I left.**

10 Q. And when did you leave?

11 A. **I left June of 2022.**

12 Q. And why did you leave?

13 A. **I found a position that offered a huge increase  
14 in salary and much better benefits.**

15 Q. And so that start would it be -- how much of a  
16 gap in time between the place you found through the temp  
17 agency and the new employer where there was a  
18 significant raise?

19 A. **I was with so the temp agency and then they hired  
20 me in that position and I was there for five and a half  
21 years.**

22 Q. So then does July 20th, 2022, sound right?

23 A. Yes.

24 Q. So five years, say does November sound right,  
25 November of -- are you still with this employer?

1 A. **The new one that I just left, the one that I was  
2 there for five and a half years, I'm with that employer.**

3 Q. Okay. So then you worked for -- what did you do  
4 for this employer that you started with in July 2022?

5 A. **I worked for their accounting division.**

6 Q. Then just to confirm, you received a significant  
7 pay raise from your previous job, correct?

8 A. Correct.

9 Q. And then did you leave that position?

10 A. **No, I'm still with this position.**

11 Q. Okay. So it seems like you had what seven  
12 different positions since you've been released from  
13 prison?

14 A. **It seems about right.**

15 Q. So is it fair to say that even with your CSC  
16 conviction you've been able to maintain employment?

17 A. **Yes and no 'cause I do know for sure one of the  
18 jobs I had I was let go because of not only my CSC but  
19 also being on the public registry. I even had one owner  
20 tell me if he knew that I had a felony and was on the  
21 registry he would never have hired me.**

22 Q. Is that the same employer?

23 A. **Two different employers.**

24 Q. But the one that said if he had known, did he  
25 fire you?

1 A. **No, I wound up eventually leaving that one.**

2 Q. Okay.

3 A. **And a lot of times I will also say that when I  
4 would get through most of the paperwork and there was  
5 the check box for the felony, I never really saw  
6 anything about the public registry that I can recall,  
7 but when it came to the felony and it said -- you know,  
8 and if it didn't say, you know, seven years, that they  
9 only go back seven years, I just -- I would stop my  
10 application because I knew right then and there they  
11 wouldn't have hired me.**

12 Q. Okay. So it was the result of the actual felony  
13 conviction itself not being listed on the public  
14 registry then?

15 A. **Because the public registry wasn't one of the  
16 questions.**

17 Q. Okay, makes sense. Do you currently have an  
18 Instagram account?

19 A. **I do but I don't use it.**

20 Q. How long have you had an Instagram account?

21 A. **A year.**

22 Q. How about a LinkedIn account?

23 A. **I do.**

24 Q. And how long have you had the LinkedIn account  
25 for?

1 **A. I've had it for about five years.**  
 2 **Q.** Do you have any other forms of social media?  
 3 **A. I do.**  
 4 **Q.** Okay, what other forms do you have?  
 5 **A. I do have Facebook to keep in constant**  
 6 **communication with my family that is all over the world.**  
 7 **Q.** Sure. And how long have you had Facebook?  
 8 **A. About five years.**  
 9 **Q.** So is it fair to say that even with your CSC  
 10 conviction you've been able to maintain social media  
 11 accounts?  
 12 **A. With that and not being on the public registry**  
 13 **I've been able to.**  
 14 **Q.** Do you know where on the public registry it  
 15 prevents you from having social media accounts?  
 16 **A. I do not.**  
 17 **Q.** But from your understanding the registry prevents  
 18 you from having those accounts?  
 19 **A. From when I was first on the public registry,**  
 20 **yes.**  
 21 **Q.** Where did you gain that understanding from?  
 22 **A. Reading the very first line items when I first**  
 23 **went on the registry it talked about, you know, social**  
 24 **media, it talked about email accounts. You know, having**  
 25 **to list everything like that I stayed away.**

1 **Q.** So, again, you said that you weren't allowed to  
 2 have social media accounts; is it more you just didn't  
 3 want to list them all out?  
 4 **A. I guess I don't understand the question.**  
 5 **Q.** Sure. I asked from where you gained the  
 6 understanding that you weren't allowed to have social  
 7 media accounts, and from my understanding of your  
 8 response you referred to the information you have to  
 9 fill out about how you'd be identified on the internet,  
 10 correct?  
 11 **A. Correct.**  
 12 **Q.** Now, is it your understanding that being asked to  
 13 identify your specific names and where you're registered  
 14 on the internet is a denial or restriction of your  
 15 ability to be on social media?  
 16 **A. That's a good question. I guess when I first**  
 17 **signed up and everything like social media was not as**  
 18 **big as it is now, and when I first signed everything it**  
 19 **had mentioned about, you know -- I don't think Facebook**  
 20 **was out at that time, I think it was Myspace was out at**  
 21 **that time. I want to say it mentioned something about**  
 22 **not having social media accounts. I cannot remember**  
 23 **exactly, but I want to say I saw somewhere in there.**  
 24 **Q.** Okay. Do you remember asking any questions of  
 25 any authorities of whether or not you could have a

1 social media account?  
 2 **A. I did not.**  
 3 **Q.** Okay. So is it fair to say that you just assumed  
 4 that you weren't allowed to have those accounts?  
 5 **A. That's fair to say.**  
 6 **MR. DAMICH:** Do you mind if we take a five  
 7 minute break?  
 8 **THE WITNESS:** That's fine.  
 9 **MR. DAMICH:** Okay, we'll be back in five  
 10 minutes?  
 11 **THE WITNESS:** Five minutes.  
 12 **MR. DAMICH:** Thank you.  
 13 (A recess was taken.)  
 14 **BY MR. DAMICH:**  
 15 **Q.** Okay, I want to discuss a little bit about your  
 16 conviction. You were convicted in 2003 of unlawful  
 17 sexual conduct with a minor, right?  
 18 **A. Yes.**  
 19 **Q.** Okay. And the victim was a 15 year old child,  
 20 correct?  
 21 **A. Yes.**  
 22 **Q.** And you had sex with this 15 year old child,  
 23 correct?  
 24 **A. Yes.**  
 25 **Q.** Okay. Did you also exchange sexually lewd

1 communications with this 15 year old child?  
 2 **A. I don't recall all of it so I don't know.**  
 3 **Q.** Did you exchange emails with the 15 year old  
 4 child?  
 5 **A. Yes.**  
 6 **Q.** And were the emails of a sexual nature at all?  
 7 **A. I don't recall.**  
 8 **Q.** Did the 15 year old child have a special  
 9 relationship with your husband at the time the unlawful  
 10 sexual conduct occurred?  
 11 **A. Yes.**  
 12 **Q.** And what was that special relationship?  
 13 **A. He was in the process of becoming orthodoxed like**  
 14 **a lot of the Jewish teenagers and kids in the area,**  
 15 **orthodox Judaism was very present in the area where we**  
 16 **were living. So we had a lot of teenagers in and out of**  
 17 **our home multiple occasions, staying over weekends for**  
 18 **the Sabbath, being able to be close to the synagogue in**  
 19 **walking distance.**  
 20 **Q.** And were you attracted to the 15 year old child?  
 21 **A. I don't recall.**  
 22 **Q.** How many times did you have sex with the 15 year  
 23 old child?  
 24 **A. I don't know. I don't even recall that, how many**  
 25 **times.**



1 Q. Was it more than once?  
2 A. **Yes.**  
3 Q. Was it more than five times?  
4 A. **Possibly, yes.**  
5 Q. Was it more than 20?  
6 A. **No.**  
7 Q. 15?  
8 A. **Maybe less than that, maybe.**  
9 Q. So somewhere between as many times as 15 and at  
10 least five times?  
11 A. **Yeah, somewhere in there I would say.**  
12 Q. How many charges of unlawful sexual conduct were  
13 brought against you, do you remember?  
14 A. **I don't.**  
15 Q. Were there multiple charges -- excuse me, were  
16 there multiple charges?  
17 A. **I don't recall. I know I took a plea.**  
18 Q. And what did you plea to?  
19 A. **One count of unlawful sexual conduct with a**  
20 **minor.**  
21 Q. How did you get caught?  
22 A. **His mom put some type of spyware on his computer**  
23 **and we were instant messaging at the time, I think it**  
24 **was like AOL had a messaging system. And she found out,**  
25 **went to the rabbi. And then from there I went and told**

1 **my ex-husband, and from there he called his therapist,**  
2 **and from there the therapist called child protective**  
3 **services.**  
4 Q. Do you remember the nature of those instant  
5 messages?  
6 A. **I don't.**  
7 Q. Do you know whether or not the 15 year old  
8 completed his religious studies?  
9 A. **From what I heard he never did.**  
10 Q. Okay. In your opinion do you think that your  
11 actions had a direct impact on that?  
12 MS. DAVIDSON: Objection, calls for  
13 speculation. You can answer.  
14 THE WITNESS: It's possible. There's a lot  
15 of factors. With him not being in an orthodox Jewish  
16 household you never know which way a child might go.  
17 BY MR. DAMICH:  
18 Q. In your opinion do you think having sex with a 29  
19 year old would impact a child's want to proceed with a  
20 religious education?  
21 MS. DAVIDSON: Objection, calls for  
22 speculation, foundation.  
23 THE WITNESS: Am I supposed to answer?  
24 MR. DAMICH: Yes.  
25 MS. DAVIDSON: Yes.

1 THE WITNESS: Oh, sorry, you know, like I  
2 said, I wouldn't know.  
3 BY MR. DAMICH:  
4 Q. Okay. In your opinion can a 15 year old child  
5 consent to having sex with an adult?  
6 A. **No.**  
7 Q. In your opinion does a 15 year old have a  
8 maturity level to consent to having sex with an adult?  
9 MS. DAVIDSON: Objection, foundation. You  
10 can answer.  
11 THE WITNESS: That's -- you know, I'm going  
12 to say no.  
13 BY MR. DAMICH:  
14 Q. In your opinion should an adult exchange sexually  
15 lewd electronic messages with a 15 year old?  
16 A. **No.**  
17 Q. As you sit here today do you think it's okay for  
18 a 29 year old adult to have sex with a 15 year old  
19 child?  
20 A. **No.**  
21 Q. Okay. Since 2003 have you had any other sexual  
22 relationships with children 17 years or under?  
23 A. **No.**  
24 Q. Are you sexually attracted to children?  
25 A. **No.**

1 Q. Were you sexually attracted to children at the  
2 time that the events happened?  
3 A. **No.**  
4 Q. Did you believe he wasn't a child?  
5 A. **No.**  
6 Q. Because you knew he was a child?  
7 A. **Teenager, yes.**  
8 Q. Okay. So was it just more for want and need of  
9 sex?  
10 A. **No.**  
11 Q. Okay, then why did you do it?  
12 MS. DAVIDSON: Objection, relevance. You  
13 can still answer.  
14 THE WITNESS: I don't have an answer, I  
15 really don't. I ask myself that question every day.  
16 BY MR. DAMICH:  
17 Q. Okay. Do you think a 15 year old that has sex  
18 with a 29 year old, that would impact the male's ability  
19 to develop mentally?  
20 MS. DAVIDSON: Objection, foundation. She's  
21 not qualified to talk about that, she's not an expert.  
22 BY MR. DAMICH:  
23 Q. In your opinion do you think having sex with -- a  
24 29 year old having sex with a 15 year old would stymie  
25 their development as a human being?

1 MS. DAVIDSON: Same objection.  
 2 BY MR. DAMICH:  
 3 Q. You still have to answer.  
 4 A. **Oh, sorry. It's a yes and a no, you know. It's**  
 5 **on an individual basis I want to say.**  
 6 Q. Do you know if the 15 year old child went on to  
 7 higher education at all?  
 8 A. **I do not know.**  
 9 Q. Do you know whether or not he's married?  
 10 A. **I do not know.**  
 11 Q. Are you attracted to children now?  
 12 A. **No.**  
 13 MS. DAVIDSON: Objection, asked and  
 14 answered.  
 15 BY MR. DAMICH:  
 16 Q. The complaint indicates that, and I'm quoting  
 17 from the complaint, paragraph 71, that based upon a  
 18 psychological evaluation Ohio court concluded that you  
 19 were not a sexual predator. Are you familiar with that  
 20 allegation?  
 21 A. **Yes.**  
 22 Q. Okay. Can you explain to me the extent the  
 23 psychological evaluation referenced?  
 24 A. **Can you elaborate or rephrase what you're asking?**  
 25 Q. Sure. There was a psychological evaluation done,

1 correct, in Ohio?  
 2 A. **Correct.**  
 3 Q. Could you explain to me the nature and extent of  
 4 that psychological evaluation?  
 5 A. **It was an evaluation I want to say, from my**  
 6 **recollection, of where I was at the time, what I was**  
 7 **thinking at the time, what was going on in my life at**  
 8 **the time. You know, do I understand my mistake, do I**  
 9 **understand what I did. So all those took part in that**  
 10 **evaluation.**  
 11 Q. Do you know who did the evaluation?  
 12 A. **I don't recall.**  
 13 Q. Was it a doctor?  
 14 A. **I want to say it might have been a court**  
 15 **counselor at the time, I don't recall.**  
 16 Q. And do you recall if there was any specific  
 17 testing names that were associated with the evaluation?  
 18 A. **I don't recall.**  
 19 Q. In the same paragraph of the complaint it  
 20 indicates that the court determined that you are not a  
 21 habitual offender based on a psychological evaluation.  
 22 Are you familiar with that allegation?  
 23 A. **Yes.**  
 24 Q. Do you remember what portion of the psychological  
 25 evaluation discussed you being a habitual offender?

1 A. **I don't, I really don't.**  
 2 Q. You don't remember any specific testing to  
 3 determine if you were a habitual offender?  
 4 A. **I don't.**  
 5 Q. Okay.  
 6 A. **It was 20 years ago.**  
 7 Q. Sure. Do you at least know how long this  
 8 evaluation lasted?  
 9 A. **I don't.**  
 10 Q. You don't recall?  
 11 A. **I don't recall.**  
 12 Q. Aside from the 2003 conviction have you been  
 13 arrested or charged with any other crimes?  
 14 A. **A speeding ticket, that's it.**  
 15 Q. And then when you moved to Michigan, I believe it  
 16 was in 2004, correct?  
 17 A. **Correct.**  
 18 Q. You had to register for 25 years, correct?  
 19 A. **I was told Michigan I had to register for 25**  
 20 **years, Ohio it was ten years. And I was told that if I**  
 21 **only want to register for ten years then I should go**  
 22 **back to Ohio, where I proceeded to say there's nothing**  
 23 **for me in Ohio except my child.**  
 24 Q. So then there's an allegation in the complaint  
 25 that the only way that you could come off Michigan's

1 registry was death, but you just said you could have  
 2 moved to Ohio, correct?  
 3 A. **I could have, but there was nothing for me in**  
 4 **Ohio and also per me being released it was said that I'm**  
 5 **moving to Michigan to my parents.**  
 6 Q. Is there anything preventing you now from moving  
 7 to Ohio?  
 8 A. **There's nothing there for me.**  
 9 Q. But is there anything preventing you from going  
 10 there?  
 11 MS. DAVIDSON: Objection, asked and  
 12 answered.  
 13 THE WITNESS: Like I said, there's nothing  
 14 there for me. My life is here with my husband.  
 15 BY MR. DAMICH:  
 16 Q. Is there a court order preventing you from going  
 17 to Ohio?  
 18 MS. DAVIDSON: Objection, asked and  
 19 answered.  
 20 THE WITNESS: Not that I'm aware of.  
 21 BY MR. DAMICH:  
 22 Q. You no longer have to -- do you still have to  
 23 register?  
 24 A. **Yes.**  
 25 Q. Okay. And what's the extent of registration you



1 have to do?

2 **A. Verification of my address four times a year.**

3 **Q. Okay. And where do you -- do you physically take**

4 **that somewhere?**

5 **A. Yes.**

6 **Q. Okay, where do you take it?**

7 **A. To the state police department.**

8 **Q. And how far away is that from where you currently**

9 **reside?**

10 **A. About five miles.**

11 **Q. Okay. And how long does it take to register each**

12 **time you go?**

13 **A. It depends. If there's people in front of me it**

14 **can take 30 minutes to an hour. If there's nobody in**

15 **front of me it could take 20 to 35 minutes.**

16 **Q. Do you visit the Secretary of State's office at**

17 **all?**

18 **A. Yes.**

19 **Q. How often?**

20 **A. Only when I have to literally get a new picture**

21 **for my license.**

22 **Q. So in the past four years how many times have you**

23 **been to the Secretary of State?**

24 **A. Twice.**

25 **Q. And how long were your visits then?**

1 **A. Well, the first time I made an appointment but it**

2 **was still another hour and a half. And the second time**

3 **I made an appointment and I was taken right away.**

4 **Q. Can we go back to when you were incarcerated?**

5 **Did you have a lot of people visit you in prison?**

6 **A. No.**

7 **Q. No. Did anyone call you?**

8 **A. No, just my mother.**

9 **Q. Okay. And when you spoke with your mother were**

10 **you in a private room?**

11 **A. No.**

12 **Q. No. So other people could hear your**

13 **conversation?**

14 **A. Yes.**

15 **Q. And did you discuss with your mother the nature**

16 **and extent of the actions that got you in prison?**

17 **A. I told her I knew I made a mistake. And, you**

18 **know, she would keep me up-to-date because she saw my**

19 **daughter, and she would keep me up-to-date on how she**

20 **was doing and keep me up-to-date on how my dad was. And**

21 **at the time I still had some of a relationship with my**

22 **sisters so, you know, she let me know what was going on**

23 **with my sisters.**

24 **Q. Okay. But did you ever get into the details of**

25 **what happened to get you into prison?**

1 **A. My mom never asked.**

2 **Q. If she would have asked would you discuss it with**

3 **her?**

4 **A. Yes.**

5 **Q. Okay. So just to be clear, you still have to**

6 **register but you're not on the public facing registry;**

7 **does that make sense?**

8 **A. Yes.**

9 **Q. I'm going to share my screen here real quick if**

10 **you'll give me a second.**

11 **A. Uh-huh.**

12 **Q. Okay, do you see it?**

13 **A. Yes.**

14 **Q. Do you recognize this document?**

15 **A. Yes.**

16 **Q. Can you generally describe what this document is?**

17 **A. It's my -- it says mail in update. Actually,**

18 **sorry, I have not seen this one 'cause it's a mail in**

19 **update.**

20 **Q. Okay.**

21 **A. Mine usually just says Michigan sex offender**

22 **registry.**

23 **Q. Are you aware that you're able to mail in your**

24 **updates now?**

25 **A. I am unaware of that.**

1 **Q. Looking through this information here, is this**

2 **the type of information that you have to report four**

3 **times a year?**

4 **A. Right now it's just my name and my address.**

5 **Q. Okay. Nothing about vehicles or anything of that**

6 **sort?**

7 **A. No.**

8 **Q. Do you find anything confusing about what you**

9 **have to report four times a year now?**

10 **A. Right now, no, because, like I said, it is just**

11 **all they are verifying is my address and my name.**

12 **Q. Now, you said right now; why did you say right**

13 **now?**

14 **A. Because before it was all of this.**

15 **Q. When you say all of this, all of the information**

16 **that's showing up on the document that I'm sharing with**

17 **you?**

18 **A. Yes, it was the address, it was my telephone**

19 **numbers, my emails, make and model of my vehicles, it**

20 **was all of it.**

21 **Q. Okay. And was any of this confusing to you?**

22 **A. It was because of the email identifier. My**

23 **vehicles, at the time I think I had two major vehicles**

24 **but neither one was in my name. You know, telephone**

25 **number, you know, I never asked about what number two**

1 telephone number was, but email, internet identifiers,  
2 that part, and user screen names confused me because  
3 where I would work some of those emails were not my  
4 emails but I had to use that email.

5 Q. Did you ever seek out guidance from anyone to  
6 kind of clarify your confusion on any of this  
7 information?

8 A. When it came to -- not on this, sorry, not on  
9 this I did not.

10 Q. When you say this, what do you mean, what are you  
11 speaking of?

12 A. There was an incident where it came to my  
13 daughter's school and being at events where I would try  
14 to get information of am I allowed to be there, am I not  
15 allowed to be there, so that. But on this form I did  
16 not.

17 Q. Okay. So you'd mentioned some confusion about  
18 vehicles?

19 A. Correct.

20 Q. And you'd mentioned you had two vehicles that you  
21 would use or operate; is that correct?

22 A. Yes.

23 Q. What's your understanding of using something, to  
24 use something?

25 A. I mean I'm using it, I'm using it either to go to

1 work or I'm using it to run to the store. It's not  
2 something that I physically own.

3 Q. And just to clarify, you've never seen this form  
4 before?

5 A. The application, all that information form I have  
6 not. The next page I have seen it once I've signed.  
7 I'm not allowed -- they don't let me see it before I  
8 sign it.

9 Q. Could you elaborate on that? You're not allowed  
10 to see it before you sign it?

11 A. So when I go to verify they just ask if there's  
12 any changes, which to me is my address and my name, and  
13 then they just say sign here and I sign it and then  
14 I -- they ask me do I want a copy. So I don't see any  
15 of this until after I'm done signing.

16 Q. So this isn't presented to you at all whenever  
17 you go to sign to give your information updates?

18 A. Correct.

19 Q. If you look here, I'm going across, the license  
20 plate number and description of any vehicle that I own  
21 or operate, do you see that?

22 A. Yes.

23 Q. What's your understanding of the word operate?

24 A. Drive.

25 Q. So based off of your understanding of the word

1 operate, any vehicle that you would drive would be  
2 required to be recorded on this form?

3 A. According to the way it's worded operate would be  
4 drive.

5 Q. So you're really not confused about what vehicle  
6 needs to be reported on this form, then, correct?

7 A. Like I said, by the definition of operate then,  
8 no, I'm not confused.

9 Q. Okay. I'm going to highlight the second  
10 sentence -- or another one here, it's under I, do you  
11 see that or do you need me to zoom in at all?

12 A. No, I can see it.

13 Q. Okay. So based off of your reading of that do  
14 you need to register your email address or other  
15 identifiers, internet identifiers, on this form now?

16 A. Considering my offense was in 2003 I do not,  
17 according to what that says.

18 Q. And that's not confusing to you at all, right?

19 A. Correct, because it's after my conviction so I'm  
20 before that so that would not apply to me.

21 Q. If you had any questions about any of the  
22 information requested here would you seek advice from  
23 anyone?

24 A. I would at least try to see the officer if -- I  
25 would ask maybe them a question if I saw the form before

1 I did verification.

2 Q. Okay. And so you understand that not filling  
3 this form out correctly, I'm scrolling down to here and  
4 highlighting this portion on page two of this, failure  
5 to register as required by law is a felony and may  
6 result in prosecution. So to be able to avoid that you  
7 would make sure to go and clarify any of this  
8 information is required?

9 A. After I've already signed it, you know, I can't  
10 go back and change it till my next verification.

11 Q. Okay, so then assuming -- between the time you  
12 signed it and then your next verification you think  
13 like, oh, man, there's something on here I really didn't  
14 understand, would you reach out and try to get an answer  
15 from anyone to try to guide you on it?

16 A. Honestly I can just say, you know, I might reach  
17 out to the ACLU.

18 Q. So you'd seek legal advice?

19 A. Try to find out maybe some understanding of it.

20 Q. I'll stop sharing my screen. Do you think the  
21 sex offender registry protects the public in any way?

22 A. Yes and no. Yes for the ones that are out there,  
23 you know, non-stop, you know, sexual behaviors with  
24 minors. You know, the ones that make a mistake, you  
25 know, to be, you know -- not to be on there for a

1 **lifetime. I mean it does and it doesn't.**

2 **Q.** Okay. So for those individuals that are out  
3 there, like you said, that are out there offending all  
4 the time, how do you think that the registry protects  
5 the public?

6 **A. If that person is out there like all the time**  
7 **like non-stop -- well, first of all they shouldn't be**  
8 **out there, you know. And it can be harmful also, I mean**  
9 **it can hurt even those ones that are out there. It's a**  
10 **very misplaced and fumbled water completely.**

11 **Q.** Okay. But focusing on those individuals that you  
12 would deem dangerous, is that a fair way to describe  
13 somebody that you think should be on the registry?

14 **A. But my way of seeing someone dangerous is**  
15 **somebody else's way of saying, oh, they are not**  
16 **dangerous. So if we're talking about my way of someone**  
17 **being dangerous, then it might be good.**

18 **Q.** And why do you -- and how do you think it would  
19 be good, like what benefits would it have?

20 **A. You know, I feel like if there's a public**  
21 **registry for this then I would want to know if, you**  
22 **know, the person next to me committed like five murders**  
23 **I'd want to know that. I would want to know if the**  
24 **person next to me might have committed like 30 -- was**  
25 **incarcerated like multiple times for the same thing.**

1 **Q.** Okay. Who do you think should make that  
2 determination of whether or not they are dangerous or  
3 not to be on the list?

4 **A. I don't have an answer for that. I would say,**  
5 **you know, it should be a committee of doctors and**  
6 **officials, you know, that each case should be**  
7 **determined, you know. For someone like me it was a one**  
8 **event 20 years ago and I'm now for my lifetime till the**  
9 **day I die I have to register for something that I made a**  
10 **mistake and I acknowledge what I did was wrong.**

11 **Q.** Do you think the sex offender registry may  
12 encourage victims to come forward?

13 **MS. DAVIDSON:** Objection, calls for  
14 speculation.

15 **THE WITNESS:** I don't know.  
16 **BY MR. DAMICH:**

17 **Q.** So if victims come forward and report sex crimes  
18 does that protect the public?

19 **A. It could.**

20 **Q.** How?

21 **A. Well, it depends. I mean if it's the same person**  
22 **over and over and over again then the public would know**  
23 **like this is that one person, they are doing it again**  
24 **and again and again and again.**

25 **Q.** So it takes multiple violations of criminal code

1 to be -- consider someone to be on a registry, in your  
2 opinion?

3 **MS. DAVIDSON:** Objection, foundation, calls  
4 for speculation, also she's not an expert.

5 **THE WITNESS:** I don't know. I can only  
6 speak about my experience.

7 **MR. DAMICH:** Before we move on, the first  
8 exhibit I showed, I'd like to offer it as Exhibit A to  
9 this deposition.

10 (Whereupon Deposition Exhibits A & B  
11 marked for identification.)

12 **BY MR. DAMICH:**

13 **Q.** I'm going to share my screen again, ma'am.

14 **MS. DAVIDSON:** Before you start questioning  
15 on this, Scott, I understand that due to the court's  
16 order you are permitted to ask certain questions so long  
17 as they don't become impermissibly oppressive. However,  
18 I'd still like to place a standing objection on the  
19 record to any line of questioning related to this  
20 exhibit for the reasons articulated to the court at the  
21 status conference in our memo.

22 **MR. DAMICH:** Your objection's noted.

23 **BY MR. DAMICH:**

24 **Q.** First of all, can you see the new document shared  
25 on the screen?

1 **A. Yes.**

2 **Q.** I'm going to scroll all the way up to the top.  
3 And what this is here, it's a random selection of cases  
4 of criminal sexual conduct in Michigan. And I want to  
5 point you to this number 21. Could you read the text of  
6 that? You don't have to read it out loud, just let me  
7 know when you're done reading it.

8 **A. Okay.**

9 **Q.** Just let me know when you're done.

10 **A. Okay.**

11 **Q.** Would you want to know if this perpetrator lived  
12 next door to you?

13 **A. I will tell you, first of all, while I read it it**  
14 **just disturbed me in every way, shape, and form.**  
15 **Honestly, I would hope the person didn't live next to**  
16 **me.**

17 **Q.** So the question was would you want to know if  
18 this perpetrator lived next door?

19 **A. In reality, yes.**

20 **Q.** Go ahead and read number 25.

21 **A. Okay.**

22 **Q.** Okay. Would you want to know if this perpetrator  
23 would be the teacher of any of your grandchildren?

24 **A. I'm going to say, first of all, that the**  
25 **teacher's probably no longer teaching so I wouldn't have**

1 to worry about that.

2 Q. So I'll change the question. In a scenario where  
3 the perpetrator is offering tutoring services would you  
4 want to know whether this perpetrator -- whether or not  
5 these events occurred for this perpetrator?

6 A. **No, because I would hope that this person learned**  
7 **from it and is in tutoring.**

8 Q. Sure. The question is specifically assuming that  
9 the individual is tutoring and one of your grandchildren  
10 were close to being tutored by this individual would you  
11 want to know this information?

12 A. **No.**

13 Q. You wouldn't want to know this information?

14 A. **No.**

15 MS. DAVIDSON: Objection, asked and  
16 answered.

17 BY MR. DAMICH:

18 Q. Why wouldn't you want to know this?

19 MS. DAVIDSON: Objection, argumentative.

20 THE WITNESS: I still have to answer,  
21 correct?

22 MS. DAVIDSON: Yes.

23 THE WITNESS: Okay. Because you asked me to  
24 assume that they were my grandchild's tutor. When it  
25 comes to any of their studies either they are getting

1 tutoring during school, I can already tell you, so I  
2 can't assume it. It's not realistic to me because if  
3 they are having problems with their homework either they  
4 are asking me, they are asking my daughter, or they are  
5 getting tutoring during school.

6 BY MR. DAMICH:

7 Q. Okay, so your answer is based off of you're  
8 disagreeing with the hypothetical that I posed?

9 A. **Yes.**

10 Q. What if this person were to coach one of your  
11 grandchildren, would you want to know?

12 A. **I would hope that their sports programs are doing**  
13 **background checks and they are not teaching sports.**

14 Q. Okay. Assuming they are not, would you want to  
15 know this information?

16 A. **If they are not, no.**

17 Q. You would not want to know?

18 A. **No, if they are not coaching there's no reason**  
19 **for me to know about someone it looks like once and**  
20 **probably has rebuilt their life.**

21 Q. How about a parent volunteer on a sports team?

22 A. **No.**

23 Q. You wouldn't want to know?

24 A. **No.**

25 MS. DAVIDSON: Objection, asked and

1 answered.

2 BY MR. DAMICH:

3 Q. Okay, moving on to number 26, could you read that  
4 one?

5 A. **Okay.**

6 Q. Would you want to know whether or not this  
7 individual is giving piano lessons?

8 A. **I don't want to answer this just due to the fact**  
9 **that this hits too close to home to one of my**  
10 **grandchildren.**

11 Q. Okay. So would you want to know whether or not  
12 one of your grandchildren would be taught piano by this  
13 individual?

14 A. **Like I said, this one hits too close to home**  
15 **because of something that happened to one of my**  
16 **grandchildren. I don't know how to answer this.**

17 Q. Sure. So I don't want to dig too deep into what  
18 happened to your grandchild and I'm sorry for whatever  
19 happened, but had you known whatever was going to happen  
20 by a certain individual with a history like this, would  
21 you want to know that?

22 A. **I would.**

23 Q. Okay. And having known that information what  
24 would you have done?

25 A. **First of all, I wouldn't have hired the tutor, I**

1 **wouldn't have hired the babysitter. And, second of all,**  
2 **there's no reason why a 39 year old should be**  
3 **watching -- you know, or take off, what, seven years, so**  
4 **a 31 year old babysitting an eight year old?**

5 Q. Okay, moving on, number 31, could you read that?

6 A. **Okay.**

7 Q. Do you think that's information that your  
8 daughter might want to know before going out on a date  
9 with an individual like this?

10 MS. DAVIDSON: Objection, calls for  
11 speculation.

12 THE WITNESS: No, it's very vague.

13 BY MR. DAMICH:

14 Q. What's vague?

15 A. **11 and 12 years old, defendant pinned her down, I**  
16 **mean it was probably a kid the same age, you know, who**  
17 **knows, but, no, I wouldn't want to know.**

18 Q. Would you want to know this information before  
19 trusting one of your grandchildren with an individual  
20 like this?

21 A. **No.**

22 Q. You don't think this person is a threat?

23 A. **I don't even know how to answer that, I really**  
24 **don't. I mean so the whole scenario is just extremely,**  
25 **extremely vague.**

1 Q. Do you think the individual is a threat?  
 2 A. No.  
 3 MS. DAVIDSON: Objection, asked and  
 4 answered. I think she answered it the way she's going  
 5 to answer it.  
 6 BY MR. DAMICH:  
 7 Q. Okay. Can you read number 32?  
 8 A. Okay.  
 9 Q. Would you want to know if this perpetrator lived  
 10 next door?  
 11 A. No.  
 12 Q. Why not?  
 13 A. **There's no reason for me to assume that, you**  
 14 **know, what really happened I mean just from reading**  
 15 **that.**  
 16 Q. So just for clarification, these are from actual  
 17 lawsuits and reported from a judicial opinion, so this  
 18 did happen. So with knowing that would you want to know  
 19 whether this perpetrator lived next door?  
 20 A. **Honestly, no.**  
 21 Q. You don't believe he's a threat?  
 22 A. **No. I don't know the person, I don't know if**  
 23 **that person's a threat, I don't know what occurred after**  
 24 **the event. All I'm getting is just a little blurb of**  
 25 **what happened. There's nothing that tells me what any**

1 **of the aftereffects have ever been.**  
 2 Q. Do you think it's appropriate to ask a seven year  
 3 old to hold your penis?  
 4 A. No.  
 5 Q. Okay, number 34, would you read that one.  
 6 A. Okay.  
 7 Q. Okay, would you want to know this information  
 8 before sending any of your grandchildren or children to  
 9 religious education with this individual?  
 10 A. **Considering that I'm not involved in a church,**  
 11 **synagogue and have nothing to do with my grandchildren's**  
 12 **upbringing it's hard for me to answer this question.**  
 13 Q. Okay. Now, assuming you were sending your  
 14 children or grandchildren to this person for any kind of  
 15 tutoring, would you want to know this information?  
 16 A. **Honestly I don't know.**  
 17 Q. Okay.  
 18 A. **I mean these are scenarios that you're asking me**  
 19 **to make a decision on and I can't.**  
 20 Q. Okay, number 57, can you read that one?  
 21 A. Okay.  
 22 Q. Do you think any of your grandchildren or  
 23 children would want to know this information about this  
 24 perpetrator before going on a blind date with him?  
 25 MS. DAVIDSON: Objection, it calls for

1 speculation.  
 2 THE WITNESS: I couldn't say yes or no.  
 3 BY MR. DAMICH:  
 4 Q. If you knew the information about this individual  
 5 and you knew that they were going on a date together  
 6 would you let your grandchildren or children know?  
 7 A. **Am I assuming all of this or --**  
 8 Q. Yeah.  
 9 MS. DAVIDSON: Objection, calls for  
 10 speculation.  
 11 THE WITNESS: Yeah, I mean I couldn't tell  
 12 you yes or no. I mean we're talking 20 years and, you  
 13 know, my kids are all grown and it's their parents that  
 14 are left to raise them and screen their boyfriends or  
 15 girlfriends.  
 16 BY MR. DAMICH:  
 17 Q. So even if you had access to this information and  
 18 you knew they were going out on a date with this  
 19 individual you wouldn't tell them?  
 20 MS. DAVIDSON: Objection, asked and  
 21 answered. She answered that question the way she's  
 22 going to answer.  
 23 THE WITNESS: Like I said, I mean, my kids  
 24 are all grown. My grandkids, that's up to their parents  
 25 to deal with whoever they are dating.

1 BY MR. DAMICH:  
 2 Q. Okay, if you would read number 61.  
 3 A. Okay.  
 4 Q. Would you want to live next door to this  
 5 individual?  
 6 A. **You know, honestly, I would say the 15 year old**  
 7 **girl when she came down and saw the bed she should have**  
 8 **just left the house, that's my honest answer. Do I want**  
 9 **to know? This isn't going to have an impact on me**  
 10 **whether or not my neighbor next door is this person,**  
 11 **it's just not. It's not my reality of how I'm living**  
 12 **and wanting to know who my next door neighbor is.**  
 13 Q. Do you have any opinions about whether any of  
 14 these individuals that we went through may be more or  
 15 less likely than someone who has not been convicted of  
 16 criminal sexual conduct to commit another sex offense?  
 17 MS. DAVIDSON: Objection, I believe the  
 18 court order is that you specifically cannot ask about  
 19 recidivism. Don't answer that.  
 20 MR. DAMICH: I believe you're right, thank  
 21 you, I appreciate that. She's correct, I apologize.  
 22 BY MR. DAMICH:  
 23 Q. Have you ever contacted a member of the Michigan  
 24 legislature to inquire about changing the sex offender  
 25 registration law?



1 **A. I have not.**  
2 **Q.** Okay. And are you aware that it's the  
3 legislature that has the power to change the law?  
4 **A. I really don't. I'm not political, laws, nowhere**  
5 **in my wheelhouse.**  
6 **Q.** Do you know whether Governor Whitmer has the  
7 power to change the sex offender registration law?  
8 **MS. DAVIDSON:** Objection, foundation.  
9 **THE WITNESS:** Honestly, I don't know.  
10 **BY MR. DAMICH:**  
11 **Q.** Do you know whether she can reduce the  
12 registration period?  
13 **A. I don't know.**  
14 **MS. DAVIDSON:** Objection, asked and  
15 answered.  
16 **BY MR. DAMICH:**  
17 **Q.** You still have to answer the question.  
18 **A. I don't.**  
19 **Q.** Do you know whether Colonel Gasper has the power  
20 to change the sex offender registration law?  
21 **A. I don't even know who that is.**  
22 **Q.** Do you know you're suing him?  
23 **A. I don't.**  
24 **Q.** Do you know under the new law that some of the  
25 changes can be made via mail instead of in person?

1 **A. From the form you showed me I saw that.**  
2 **Q.** Okay. Would you agree that making the changes by  
3 mail is easier than making those changes in person?  
4 **A. No, I think it would be just as difficult.**  
5 **Q.** Why would it be just as difficult?  
6 **A. Depending on what information you need to verify.**  
7 **Honestly when I had to verify my new addresses it wasn't**  
8 **easier or harder whether or not I had to do it, you**  
9 **know, in person or in mail. Like in 2019 when I moved I**  
10 **didn't know I could have done it by mail, I still went,**  
11 **did it how I normally did it, I went in.**  
12 **Q.** Did you have to adjust your schedule to go in  
13 and --  
14 **A. I -- go ahead.**  
15 **Q.** I'm sorry. We did a good job till this point of  
16 not interrupting each other so it's two hours in the  
17 first time so kudos. Did you have to adjust your  
18 schedule in the past when you would have to actually go  
19 and report physically to the police station?  
20 **A. Yes.**  
21 **Q.** Would you have to adjust your schedule any more  
22 if you simply have to mail in the information?  
23 **A. I don't know because I don't use the mail one at**  
24 **all.**  
25 **Q.** You would agree, though, that mailing something

1 is easier than actually physically delivering it to the  
2 intended location, correct?  
3 **A. Probably. I mean it's just -- it's still just as**  
4 **hard because, you know, do you have to send a copy of**  
5 **your driver's license with it or is it just, you know,**  
6 **you can just fill out the form.**  
7 **Q.** Sure, I'm talking about just the actual physical  
8 delivery of the thing, contents aside.  
9 **A. Contents aside?**  
10 **Q.** Content aside.  
11 **A. Probably if I had an envelope laying around the**  
12 **house and a stamp, then probably it might be easier.**  
13 **MR. DAMICH:** Okay, I don't have any further  
14 questions.  
15 **MS. DAVIDSON:** I'll have a little bit of  
16 follow up but can I have like five minutes?  
17 **MR. DAMICH:** Of course.  
18 **MS. DAVIDSON:** Thanks.  
19 (A recess was taken.)  
20 **EXAMINATION**  
21 **BY MS. DAVIDSON:**  
22 **Q.** All right, Ms. Doe, you are not on public  
23 registry any more, correct?  
24 **A. Correct.**  
25 **Q.** Do you remember when you came off?

1 **A. Right about when Does 1 was filed, I want to say.**  
2 **Q.** Do you recall approximately what year that was?  
3 **A. I want to say it was about 2014.**  
4 **Q.** I want to draw your attention to your testimony  
5 that your daughter received backlash from you being on  
6 the public registry. Do you remember giving that  
7 testimony?  
8 **A. Yes.**  
9 **Q.** What was the backlash that your daughter  
10 received?  
11 **A. Not only from my own family, my siblings, who**  
12 **would constantly bring it up to my daughter, who knew,**  
13 **she knew at a young age, not by my choice, about what**  
14 **happened to me, but, you know, friends she met, friends**  
15 **from school, their parents knew. It was -- it was very,**  
16 **very difficult for her to have that strong exterior all**  
17 **the time knowing how people felt about her mother.**  
18 **Q.** You're saying -- I'm sorry, go ahead, I didn't  
19 know you weren't done.  
20 **A. There were a couple friends that she couldn't be**  
21 **friends with because of me and she wanted to be friends**  
22 **with them but because of my status being on the public**  
23 **registry, also having my CSC, they weren't allowing it.**  
24 **Q.** Okay. You also mentioned that your daughter had  
25 issues related to parent/teacher conferences and school

1 work?

2 A. Yes.

3 Q. Can you elaborate on how that was related to you  
4 being on the public registry?

5 A. Because of the school that she went to having to  
6 be in the Jewish community they all knew about my past.  
7 It's a community, everybody knows everybody. We know  
8 everybody's secrets here and there, everybody's past, if  
9 you don't know them, you know their parents, you know  
10 their parents' parents. I had teachers that wouldn't  
11 communicate with me, it would take days for them to get  
12 back to me regarding anything that was happening in  
13 school, but my ex-husband at the time, they would answer  
14 him almost immediately. So it was like almost I  
15 couldn't coparent.

16 Q. You also testified that at the conclusion of your  
17 own education it was hard for you to find employment.  
18 Do you recall giving that testimony?

19 A. Yes.

20 Q. Can you elaborate on how it was hard for you to  
21 find employment?

22 A. Due to me having my conviction and being on the  
23 public registry the school happened to note that even  
24 though I graduated top of the class and I should have  
25 had an easy time finding a position it was very

1 difficult because of the registry along with the  
2 conviction.

3 Q. How did you know it was because of the registry?

4 A. Because that I was still on, you know, publicly  
5 on that registry where you could search me, find me on  
6 that registry, know everything about me. It didn't  
7 matter how well of a student I was, you know, I -- even  
8 when I sought employment and I was working for a doctor  
9 someone came in, told them I was on the registry, he  
10 went and looked and I lost my job because of that.

11 Q. Okay. And to switch gears here, you also  
12 testified that it's easier for you to be involved with  
13 your grandchildren than it was for you to be involved  
14 with your daughter because you're no longer on the  
15 public registry.

16 A. Correct.

17 Q. Can you elaborate on that?

18 A. Yes. My daughter, I missed her eighth grade  
19 graduation. If her -- anything that she was involved  
20 with at school happened on school grounds, I missed out  
21 on all of it. When I came off that public registry I  
22 was able to go to her high school graduation,  
23 that -- sorry, that meant the most to me, to be able to  
24 see my daughter walk across stage after everything she  
25 had gone through. And the fact that me and her father

1 had come to such a good place that we were able to come  
2 together as one big family, all of us, to be there to  
3 support her as she took the next step in her life.

4 And now my grandkids, it's been great, I go  
5 to their sporting events, get to see them, you know,  
6 either win or lose, you know, do well in their music  
7 concerts. It's nice not having that looming over me,  
8 that I'm able to be there and enjoy everything as a  
9 family, that, you know, Nana gets to be there, you know.  
10 There's no question of, well, where's Nana, like Nana's  
11 there.

12 Q. Thank you. Do you need a moment?

13 A. Yeah, just a second. Okay, sorry.

14 Q. That's okay. Are you ready to continue?

15 A. Yes.

16 Q. All right. Did you have social media when you  
17 were on the public registry?

18 A. I did not.

19 Q. Why?

20 A. The restrictions, the -- all the information  
21 required, it was just a lot, you know. There were so  
22 many things outlined that it was very confusing with the  
23 registry, you know, saying, you know, you can't have  
24 social media, I believe. I mean it was very -- there  
25 were a lot of restrictions to understand and it was just

1 easier for me not to be involved with any of it and just  
2 not to have any of it.

3 Q. Lastly you tes- -- well, not lastly, but you  
4 testified that the registry is and it isn't helpful to  
5 the public; do you remember that testimony?

6 A. Yes.

7 Q. Can you elaborate on how you feel that the  
8 registry isn't helpful to the public?

9 A. It's not helpful for people like me.

10 Q. What do you mean by people like you?

11 A. I made a mistake when I was 29 years old, I've  
12 paid for it, I got sentenced, I served my time, I was  
13 judged, I did my probation following all the rules, to  
14 this day still following rules in society. And for me  
15 to have to sit there and go from ten, then to 25, and  
16 now it's for life for someone that I made a mistake when  
17 I was 29. It's 20 years later I'm still paying for that  
18 mistake being on that registry for life instead of me  
19 being -- someone saying, you know, oh, well, look at  
20 this person, she's rebuilt her life, you know, she's  
21 done everything, she's not, you know, a habitual or a  
22 sexual deviant, you know, she has done everything she  
23 needs to do and she's lowest risk possible, there's no  
24 way she will ever offend again. It's not helpful for  
25 someone like me or other people like me.



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1 Q. Are you aware that there is a new law that could  
2 cause you to be put back on the public registry?

3 A. Yes.

4 Q. And how has that knowledge impacted you  
5 emotionally?

6 A. It scares me. It scares me because, like I said,  
7 the job I have now -- I'm finally at a place in my life  
8 where I'm happy. I'm able to do everything with my  
9 children, my grandchildren, you know. My husband who's  
10 involved with his hall, you know, I'm able to go to  
11 services with him and be the support he needs for when  
12 he has to give a speech, and just not having that fear  
13 like, oh, they are going to know, someone's going to  
14 know, you know, it -- it's a huge, huge fear of me going  
15 back into -- you know, being very reclusive and not  
16 being able to enjoy family events.

17 MS. DAVIDSON: Thank you. I don't have  
18 anything else.

19 MR. DAMICH: I do have just a couple quick  
20 follow ups if that's okay.

21 RE-EXAMINATION

22 BY MR. DAMICH:

23 Q. You had mentioned that the Jewish community is  
24 very tight knit and that that had caused some of the  
25 problems with, you know, kind of shunning yourself and

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1 your daughter; do you remember that testimony?

2 A. Yes.

3 Q. Did the Jewish community find out about your  
4 actions before or after you were on the sex offender  
5 registry?

6 A. Both.

7 Q. So they found out before?

8 A. There were some that found out before, there were  
9 some that found out during everything, and there were  
10 others that found out after.

11 Q. Do you believe the majority of the community knew  
12 before you moved to Michigan while you were  
13 incarcerated?

14 MS. DAVIDSON: Objection, calls for  
15 speculation.

16 THE WITNESS: I wouldn't know who knew when  
17 I was getting incarcerated and who knew when I got out  
18 and who knew when I became on the public registry.

19 BY MR. DAMICH:

20 Q. Are you aware that the law changes removed the  
21 exclusion zones of the schools?

22 A. Yes, that I did know.

23 Q. You discussed the social media restrictions, but  
24 just to clarify, you didn't identify anything specific  
25 that said you can't have social media accounts, correct?

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1 A. I would literally have to go back to see when I  
2 first did the registry what my restrictions were, and I  
3 want to say the restrictions were that you couldn't have  
4 social media.

5 Q. Okay. But you're not sure if that's true or not,  
6 correct?

7 A. I can't say, you know -- I know that there were  
8 restrictions, I don't know the exact form of the  
9 restrictions, but I knew like internet usage, social  
10 media, I want to say there was something in there about  
11 that but I would literally need to see that document  
12 like to see it.

13 Q. Okay. I could pull back up the restrictions and  
14 see if you want to look through it again and see if  
15 there's any current restrictions on it.

16 A. Currently because my crime is before 2011,  
17 currently those restrictions don't apply to me now.

18 Q. Sure.

19 A. Back when I first started they were there.

20 Q. Would you have any reason to dispute the  
21 statement that there was no law that restricted you from  
22 having a social media account?

23 A. What do you mean dispute?

24 Q. Disagree with.

25 A. Now or prior?

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1 Q. Prior.

2 A. I want to say that, yes, I would have to dispute  
3 it because I want to say there was something in there  
4 that mentioned there were restrictions about social  
5 media accounts.

6 MR. DAMICH: All right, that's all I have.

7 MS. DAVIDSON: I don't have anything else.  
8 (Whereupon Deposition concluded at 12:20 p.m.)

1 STATE OF MICHIGAN )

) SS

2 COUNTY OF INGHAM )

3 I, Melinda Nardone, Certified Shorthand  
4 Reporter and Notary Public in and for the County of  
5 Ingham, State of Michigan, do hereby certify that the  
6 foregoing deposition was taken before me at the time  
7 hereinbefore set forth.

8 I further certify that said witness was  
9 duly sworn in said cause to tell the truth; that the  
10 testimony then given was reported by me remotely to the  
11 best of my ability; subsequently produced under my  
12 direction and supervision; and that the foregoing is a  
13 complete, true, and correct transcript of my original  
14 shorthand notes.

15 IN WITNESS WHEREOF, I have hereunto set  
16 my hand and seal this 5th day of April, 2023.

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Melinda S. Nardone, CSR-1311,  
Certified Shorthand Reporter,  
and Notary Public, County  
of Ingham, State of Michigan.  
My Commission Expires: 10-24-24